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NOTICE OF ALLOWANCE AND FEE(S) DUE

22922

7590

01/11/2010

REINHART BOERNER VAN DEUREN S.C. ATTN: LINDA KASULKE, DOCKET COORDINATOR 1000 NORTH WATER STREET SUITE 2100 MILWAUKEE, WI 53202

EXAMINER				
OYEBISI, OJO O				
ART UNIT	PAPER NUMBER			
2606				

DATE MAILED: 01/11/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852.119	05/09/2001	Ronald A. Braco	7198	4159

TITLE OF INVENTION: ELECTRONIC BILL PRESENTMENT AND PAYMENT SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	04/12/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

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B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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Note: A certificate of mailing can only be used for domestic mailings of the CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address) Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission. 22922 7590 01/11/2010 Certificate of Mailing or Transmission REINHART BOERNER VAN DEUREN S.C. I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below. ATTN: LINDA KASULKE, DOCKET COORDINATOR 1000 NORTH WATER STREET **SUITE 2100** (Depositor's name MILWAUKEE, WI 53202 (Signature (Date APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 09/852,119 05/09/2001 Ronald A. Braco 7198 4159 TITLE OF INVENTION: ELECTRONIC BILL PRESENTMENT AND PAYMENT SYSTEM APPLN. TYPE SMALL ENTITY ISSUE FEE DUE PUBLICATION FEE DUE PREV. PAID ISSUE FEE TOTAL FEE(S) DUE DATE DUE nonprovisional NO \$1510 \$300 \$0 \$1810 04/12/2010 **EXAMINER** ART UNIT CLASS-SUBCLASS OYEBISI, OJO O 3696 705-040000 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. or agents OR, alternatively, (2) the name of a single firm (having as a member a ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) 4a. The following fee(s) are submitted: lssue Fee A check is enclosed. Publication Fee (No small entity discount permitted) Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number ______ (enclose an extra copy of this fo Advance Order - # of Copies _ (enclose an extra copy of this form). 5. Change in Entity Status (from status indicated above) a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ■ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2). NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office. Authorized Signature Date Typed or printed name Registration No. This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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09/852,119	05/09/2001	Ronald A. Braco	7198	4159	
22922 75	90 01/11/2010		EXAM	INER	
REINHART BOERNER VAN DEUREN S.C.			OYEBISI, OJO O		
ATTN: LINDA KASULKE, DOCKET COORDINATOR		ART UNIT	PAPER NUMBER		
1000 NORTH WA SUITE 2100			3696 DATE MAILED: 01/11/201	0	
MILWAUKEE, W	1 33202				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1841 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1841 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 (571)-272-4200.

	Application No.	Applicant(s)			
	09/852,119	 BRACO, RONALD /	٩.		
Notice of Allowability	Examiner	Art Unit	-		
	OJO O. OYEBISI	3696			
The MAILING DATE of this communication apperall claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this app or other appropriate communication GHTS. This application is subject to	olication. If not include will be mailed in due	ed course. THIS		
1. This communication is responsive to					
2. The allowed claim(s) is/are					
 3. Acknowledgment is made of a claim for foreign priority unally all b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority documents have International Bureau (PCT Rule 17.2(a)). 	been received. been received in Application No		ion from the		
* Certified copies not received:					
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.					
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give			OTICE OF		
5. CORRECTED DRAWINGS (as "replacement sheets") mus	et be submitted.				
(a) I including changes required by the Notice of Draftspers	on's Patent Drawing Review (PTO-	948) attached			
1) 🔲 hereto or 2) 🔲 to Paper No./Mail Date					
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date					
ldentifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).					
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.					
Attachment(s) 1. ☑ Notice of References Cited (PTO-892)	5. ☐ Notice of Informal P	atent Application			
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ☐ Interview Summary	(PTO-413),			
3. ☑ Information Disclosure Statements (PTO/SB/08),	Paper No./Mail Dat 7. ⊠ Examiner's Amendn	e nent/Comment			
Paper No./Mail Date <u>10/18/2007</u> 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. ☐ Examiner's Stateme 9. ☐ Other	ent of Reasons for Allo	wance		
	<u> </u>				

DETAILED ACTION

Examiner's amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview on 12/15/09. The applicant's attorney had instructed the examiner to amend the application to cancel claim 26.

The application has been amended as follows:

1. (Previously Presented) A switching system for electronic presentment and payment of bills over a network, comprising: a first consumer service provider device which is in electronic communication with a first consumer terminal; a first biller service provider device which is in electronic communication with a first biller terminal; a second consumer terminal; a second biller terminal; and a switching network which is in electronic communication with said first consumer service provider device using one of a first message standard protocol and a second message standard protocol, with said first bill service provider device using one of said first and second message standard protocols, with said second consumer terminal using one of said first and second message standard protocols, and with said second biller terminal using one of said first and second message standard protocols, routing presentment information between said

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first consumer service provider or said second consumer terminal and said first bill service provider or said second biller terminal, said switching network being a multi-standard switch configured to facilitate electronic communication between said first consumer service provider or said second consumer terminal and said first bill service provider and said second biller terminal irrespective of which message standard protocol each of said first consumer service provider, said first bill service provider, said second consumer terminal, and said second biller terminal use.

- 2. (Previously Presented) A switching system as defined in Claim 1, wherein said switching network routes information between said consumer service provider or said second consumer terminal and said bill service provider or said second biller terminal without reformatting.
- 3. (Previously Presented) A switching system as defined in Claim 1, further comprising a second consumer service provider device which is in electronic communication with a third consumer terminal, said switching network being in electronic communication with said second consumer service provider device using a different one of said first and second message standard protocols than the one of said first and second message protocols which is used between said first consumer service provider and said switching network
- 4. (Previously Presented) A switching system as defined in Claim 1, further

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comprising a consumer payment provider device in electronic communication between said first consumer service provider device and said switching network.

- 5.(Previously Presented) A switching system as defined in Claim 1, further comprising a second biller service provider device which is in electronic communication with a third consumer terminal, said switching network being in electronic communication with said second biller service provider device using a different one of said first and second message standard protocols than the one of said first and second message protocols which is used between said first biller service provider and said switching network.
- 6. (Previously Presented) A switching system as defined in Claim 5, further comprising a biller payment provider device in electronic communication between said first consumer service provider device and said switching network.
- 7.(Previously Presented) A switching system as defined in Claim 6, further comprising a payee terminal in electronic communication with said biller payment provider device.
- 8. (Previously Presented) A switching system as defined in Claim 4, further comprising an associated memory device in which a directory of said first consumer service provider device, said first bill service provider device, said second consumer terminal, and said second biller terminal is stored, wherein said first consumer service

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provider device, said first bill service provider device, said second consumer terminal, and said second biller terminal must each be registered in said directory in order to access said switching network.

- 9. (Previously Presented) A switching system for electronic presentment and payment of bills over a network, comprising: a consumer terminal; a biller terminal; and a switching network which is in electronic communication with said consumer terminal using one of a first message standard protocol and a second message standard protocol and with said biller terminal using one of said first and second message protocols, exchanging billing information between said consumer terminal and said biller terminal irrespective of which message protocol each of said consumer terminal and said biller terminal use, said switching network routing bill summary data generated by said biller terminal for presentment at said consumer terminal, complete bill data being accessible only by direct communications between said consumer terminal and said biller terminal.
- 10. (Previously Presented) A switching system as defined in Claim 9, wherein said switching network routes information between said consumer terminal and said biller terminal without reformatting.
- 11. (Previously Presented) A switching system as defined in Claim 9, further comprising a consumer service provider device in electronic communication between said consumer terminal and said switching network.

- 12. (Previously Presented) A switching system as defined in Claim 11, further comprising a consumer payment provider device in electronic communication between said consumer service provider device and said switching network.
- 13. (Previously Presented) A switching system as defined in Claim 9, further comprising a biller service provider device in electronic communication between said biller terminal and said switching network.
- 14. (Previously Presented) A switching system as defined in Claim 13, further comprising a biller payment provider device in electronic communication between said biller service provider device and said switching network.
- 15. (Previously Presented) A switching system as defined in Claim 14, further comprising a payee terminal in electronic communication with said biller payment provider device.
- 16. (Previously Presented) A switching system as defined in Claim 12, further comprising an associated memory device in which a directory of said consumer terminal and said biller terminal is stored, wherein said consumer terminal and said biller terminal must each be registered in said directory in order to access said switching network
- 17. (Previously Presented) A method for electronic presentment and payment of bills over a network, comprising: providing a switching network for facilitating electronic presentment and payment of bills; establishing electronic communication between said switching network and first and second biller terminals and first and second consumer terminals, said switching network being a multi-standard switch configured to

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communicate_with said first and second biller terminals and said first and second consumer terminals in either of at least first and second message standard protocols, said switching network communicating with at least one of said first and second biller terminals and said first and second consumer terminals using said first message standard protocol and at least one of said first and second biller terminals and said first and second consumer terminals using said second message standard protocol; generating bill summary data from complete bill data provided by each of said first and second billing terminals; selectively routing portions of said bill summary data via the switching network to present appropriate portions of said bill summary data to said first and second consumer billing terminals.

- 18. (Previously Presented) A method as defined in Claim 17, wherein electronic communication between said switching network and said first consumer terminal is established through a first consumer service provider device, and wherein electronic communication between said switching network and said second consumer terminal is established through a second consumer service provider device.
- 19. (Previously Presented) A method as defined in Claim 17, wherein said routed bill summary data is not reformatted by said switching network.
- 20. (Previously Presented) A method as defined in Claim 17, further comprising accessing complete bill data for a particular bill only by communicating directly between the one of said first and second consumer terminals seeking said complete bill data for said particular bill and the one of said first and second biller terminals having complete bill data for said particular bill.

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21. (Previously Presented) A method as defined in Claim 17, further comprising the steps of storing a directory of consumer terminals which are registered with said switching network in an associated memory device; generating payment instructions from said first and second consumer terminals; transmitting said payment instructions which are generated by said first and second consumer terminals to said switching network; verifying that said payment instructions are from consumer-terminals which are registered with said switching network; and if said payment instructions are from consumer terminals which are registered with said switching network, causing said payment instructions to be executed.

- 22. (Previously Presented) A method as defined in Claim 21, wherein prior to said step of causing said payment instructions to be executed said switching network verifies that a sufficient balance exists in a financial account associated with each consumer terminal from which payment instructions are received to cover the bill being paid.
- 23. (Previously Presented) A method as defined in Claim 22, further comprising the step of settling all payment transactions over a predetermined cut-off period.
- 24. (Previously Presented) A method as defined in Claim 17, wherein said wherein electronic communication between said switching network and said first biller terminal is established through a first biller service provider device, and wherein electronic communication between said switching network and said second biller terminal is established through a second biller service provider device.
- 25. (Previously Presented) A switching system for electronic presentment and

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payment of bills over a network, comprising: a first consumer terminal; a second consumer terminal; a first biller terminal; a second biller terminal; and a switching network in electronic communication with said first and second consumer terminals and said first and second biller terminals, said switching network for routing presentment information from said first and second biller terminals to said first and second consumer terminals and payment information from said first and second consumer terminals and said first and second biller terminals, said switching network being a multi-standard switch configured to communicate with said first and second consumer terminals and said first and second biller terminals in either of first and second message standard protocols, said switching network communicating with at least one of said first and second consumer terminals and said first and second biller terminals using said first message standard protocol and at least one of said first and second consumer terminals and said first and second biller terminals using said second message standard protocol.

26. (Cancelled) A system for electronic presentment and payment of bills over a network, comprising: a consumer terminal; a biller terminal in communication with said consumer terminal; and a switching network for routing a payment message for a particular bill between said consumer terminal and biller terminal, irrespective of whether the particular bill has been previously presented to said consumer terminal.

27. - 30. (Previously Cancelled)

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31. (Previously Presented) A switching system as defined in Claim 1, wherein said first message standard protocol comprises the Open Financial Exchange ("OFX") standard protocol and said second message standard protocol comprises the Interactive Financial Exchange ("IFX") standard protocol.

- 32. (Previously Presented) A switching system as defined in Claim 1, wherein said switching network routes bill summary data generated by said biller service provider device or by said first or second biller terminals for presentment at said first or second consumer terminals, complete bill data being accessible only by direct communications between said first or second consumer terminals and said biller service provider device or said first or second biller terminals.
- 33. (Previously Presented) A switching system as defined in Claim 1, wherein said switching network is arranged and configured to provide net settlement functionality by debiting financial accounts associated with consumers associated with said first and second consumer terminals and crediting the financial accounts of billers associated with said first and second biller terminals by appropriate amounts
- 34. (Previously Presented) A switching system as defined in Claim 1, wherein said switching network is arranged and configured to log all presentment and payment communications as they are routed for reporting on a periodic basis

Allowable Subject Matter

Claims 1-25, and 31-34 are allowed.

Examiner's Statement of Reason for Allowance

The following is an examiner's statement of reasons for allowance for all claims: Re claims 1, 9, 17, 25. The prior art fails to disclose a switching system for electronic presentment and payment of bills over a network, comprising: a switching network being a multi-standard switch configured to facilitate electronic communication between said first consumer service provider or said second consumer terminal and said first bill service provider and said second biller terminal irrespective of which message standard protocol each of said first consumer service provider, said first bill service provider, said second consumer terminal, and said second biller terminal use. In contrast, the closest prior art, which is also the best U.S art: Kolling (US PAT:5,963,925), merely discloses a medium in which electronic statements can be delivered. Kolling teaches that a medium can be the Internet, telephones, video telephones, televisions, WebTV, personal digital assistants, or any other proprietary communication system. Kolling's disclosed medium is not a message protocol. Kolling further teaches a central switch 214 which serve as a store and forward switch to route all ESP system data between system end points. However, there is no teaching in Kolling that central switch 214 is a multi-standard switch configured to facilitate electronic communication between said first consumer service provider or said second consumer terminal and said first bill service provider and said second biller terminal irrespective of which message standard protocol each of

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said first consumer service provider, said first bill service provider, said second consumer terminal, and said second biller terminal use.

The secondary reference, Hilt et al (US PAT:5,465,206) is an electronic bill pay system wherein participating consumers pay bills to participating billers through a payment network (see abstract). However, Hilt payment network does not have a multistandard switch configured to facilitate electronic communication between said first consumer service provider or said second consumer terminal and said first bill service provider and said second biller terminal irrespective of which message standard protocol each of said first consumer service provider, said first bill service provider, said second consumer terminal, and said second biller terminal use.

Ravi (EP 1 049 056 A2) discloses an electronic bill presentment and/or payment clearing house with plurality of network stations (see abstract). However, Ravi's system does not have a multi-standard switch configured to facilitate electronic communication between said first consumer service provider or said second consumer terminal and said first bill service provider and said second biller terminal irrespective of which message standard protocol each of said first consumer service provider, said first bill service provider, said second consumer terminal, and said second biller terminal use.

Lastly, Hallerman, David (Banks strike back with an E-Bill challenge, Bank Technology news, PITEM99221005, Aug 1999) discloses a secure infrastructure for routing and switching electronic bill payments. However, Hallerman's secure infrastructure does not have a multi-standard switch configured to facilitate electronic communication between said first consumer service provider or said second consumer

terminal and said first bill service provider and said second biller terminal irrespective of which message standard protocol each of said first consumer service provider, said first bill service provider, said second consumer terminal, and said second biller terminal use. Updated searches revealed no references that disclose the claimed inventions nor are any secondary references identified which could be reasonably combined with Kolling.

The drawings submitted on 05/09/01 are acceptable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OJO O. OYEBISI whose telephone number is (571)272-8298. The examiner can normally be reached on 8:30A.M-5:30P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Dixon can be reached on (571)272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Primary Examiner, Art Unit 3696 /OJO O OYEBISI/